



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

(217) 524-6308

CERTIFIED MAIL # 7020 0640 0000 9515 3952
RETURN RECEIPT REQUESTED

July 19, 2021

City of East St. Louis
301 River Park Drive
East St. Louis, IL 62201
Attn.: Robert Eastern, III, Mayor

Re: Violation Notice: City of East St. Louis
Violation Notice No.: W-2021-50101

Dear Mayor McCall:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in Attachment A to this notice. Attachments A and B include explanations of the activities that the Illinois EPA believes may resolve the specified alleged violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether or not the facility wishes to enter into a Compliance Commitment Agreement ("CCA") pursuant to Section 31(a) of the Act. If the facility wishes to enter into a CCA, the written response must also include proposed terms for the CCA that includes dates for achieving each commitment and may include a statement that compliance has been achieved for some or all of the alleged violations. The proposed terms of the CCA should contain sufficient detail and must include steps to be taken to achieve compliance and the necessary dates by which compliance will be achieved.

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

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The Illinois EPA will review the proposed terms for a CCA provided by the facility and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, the facility must respond in writing by either agreeing to and signing the proposed CCA or by notifying the Illinois EPA that the facility rejects the terms of the proposed CCA.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to a prosecutorial authority.

Written communications should be directed to:

Illinois EPA – Division of Water Pollution Control
Attn: Cathy Siders / CAS#19
P.O. BOX 19276
Springfield, IL 62794-9276

All communications must include reference to this Violation Notice number, **W-2021-50101**.

Questions regarding this Violation Notice should be directed to **Cathy Siders at 217/524-6308** or catherine.siders@illinois.gov.

Sincerely,



Cathy Siders, Manager
Compliance Assurance Section
Division of Water Pollution Control
Bureau of Water

Attachments: A & B

ATTACHMENT A

Violation Notice: City of East St. Louis

Violation Notice No.: W-2021-50101

Questions regarding the violations identified in this attachment should be referred to **Cathy Siders** at **(217) 524-6308**.

On June 11, 2021, field inspectors from the Illinois EPA received a sewer overflow notification of a manhole located at the Family Dollar store entrance on 89th Street near the intersection of Highway 157 and State Street. During the inspection the sewer was actively overflowing. A significant amount of sewage debris was observed accumulating in the concrete gutter, the store's driveway, along the frontage road and into the storm sewer. Further two uncovered stormwater manholes were discovered during the investigation.

A review of information available to the Illinois EPA indicates the following violations of statutes, regulations, or permits. Included with each type of violation is an explanation of the activities that the Illinois EPA believes may resolve the violation including an estimated time period for resolution.

Unpermitted/Unauthorized Point Source Discharge

Implement necessary actions to prevent any further unpermitted discharge. Compliance is expected immediately.

<u>Violation Date</u>	<u>Violation Description</u>
06/11/2021	Except as in compliance with the provisions of the Act, Board regulations, and the CWA & (Clean Water Act), and the provisions and conditions of the NPDES (National Pollutant Discharge Elimination System) permit issued to the discharger, the discharge of any contaminant or pollutant by any person into the waters of the State from a point source shall be unlawful.
Rule/Reg.:	Section 12(a) and (f) of the Act, 415 ILCS 5/12(a) and (f) (2018), 35 Ill. Adm. Code 309.102(a)

Overflows from Sanitary Sewers are Expressly Prohibited

Determine the cause of the overflows and investigate corrective actions to eliminate the possibility of any further raw sewage discharges. Submit a detailed response including a timetable for each corrective measure proposed. Compliance is expected to be pursued immediately.

<u>Violation Date</u>	<u>Violation Description</u>
06/11/2021	Overflow of sanitary sewers
Rule/Reg.:	Section 12(a) of the Act, 415 ILCS 5/12(a) (2018); 35 Ill. Adm. Code 306.304

Systems Reliability

Review the operational and maintenance procedures in order to correct the deficiencies which caused the violations. Compliance with this requirement is expected to be achieved immediately.

<u>Violation Date</u>	<u>Violation Description</u>
06/11/2021	All treatment works and associated facilities shall be so constructed and operated as to minimize violations of applicable standards during such contingencies as flooding, adverse weather, power failure, equipment failure, or maintenance, through such measures as multiple units, holding tanks, duplicate power sources, or such other measures as may be appropriate.
Rule/Reg.:	Section 12(a) of the Act, 415 ILCS 5/12(a) (2018); 35 Ill. Adm. Code 306.102(a)

Discharge of Contaminants

Cease and desist from discharging contaminants that cause or threaten to cause water pollution. Review operational and maintenance procedures and correct the deficiencies which caused the violation. Compliance is expected to be pursued immediately.

<u>Violation Date</u>	<u>Violation Description</u>
06/11/2021	No person shall cause, threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act.
Rule/Reg.:	Section 12(a) of the Act, 415 ILCS 5/12(a) (2018)

Deposited Contaminants

Cease and desist from depositing contaminants that cause or threaten to cause water pollution. Compliance is expected to be pursued immediately.

<u>Violation Date</u>	<u>Violation Description</u>
06/11/2021	Deposited contaminants on the ground in such a manner that caused or threatened to cause a water pollution hazard.
Rule/Reg.:	Section 12(a) and (d) of the Act, 415 ILCS 5/12(a) and (d) (2018)

Offensive Discharge

Review and evaluate the operational procedures in order to correct the deficiencies which caused the violations. Discharges must not cause a violation of water quality standards. Compliance is expected immediately.

<u>Violation Date</u>	<u>Violation Description</u>
06/11/2021	No effluent shall contain settleable solids, floating debris, visible oil, grease, scum or sludge solids. Color, odor and turbidity must be reduced to below obvious levels.
Rule/Reg.:	Section 12(a) and (d) of the Act, 415 ILCS 5/12(a) and (d) (2018), 35 Ill. Adm. Code 304.106

ATTACHMENT B

Violation Notice: City of East St. Louis

Violation Notice No.: W-2021-50101

In order to assist your facility in attaining compliance with the apparent violations listed in Attachment A, the following recommendations are offered:

1. Immediately cease all overflows from your sanitary sewer collection system.
2. Televiser the sewer line located between the overflowing sanitary manhole and nearest downstream manhole to identify the condition of the collection system and cause(s) contributing to the overflows.
3. Collection system replacement as necessary having appropriate sizing to handle future flows and materials within the system.
4. Smoke test the collection system is also recommended to identify potential locations that might be contributing preventable inflow and infiltration to the system. Any identified preventable locations should be eliminated.